

1 PHILLIP A. TALBERT
2 United States Attorney
3 ALSTYN BENNETT
4 Assistant United States Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814
7 Telephone: (916) 554-2700
8 Facsimile: (916) 554-2900
9

10 Attorneys for Plaintiff
11 United States of America
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15 IN THE UNITED STATES DISTRICT COURT
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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,
19 Plaintiff,
20 v.
21 ADAN MAYORAL, and JESUS LUNA,
22 Defendants.

23 CASE NO. 2:21-CR-00184-TLN
24 STIPULATION REGARDING EXCLUDABLE
25 TIME PERIODS UNDER SPEEDY TRIAL ACT;
26 FINDINGS AND ORDER
27 COURT: Hon. Troy L. Nunley
28

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17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendants, by and
19 through defendants' counsel of record, hereby stipulate as follows:

20 1. By previous order, the Court set a status conference in this matter for July 28, 2022.
21 2. By this stipulation, defendants now move to continue the status conference until October
22 6, 2022, at 9:30 a.m., and to exclude time between July 28, 2022, and October 6, 2022, under Local
23 Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:
25 a) The government has represented that the discovery associated with this case
26 includes audio files, photographs, investigative reports and related documents, criminal history
27 documents, and other paper documents. Initial discovery has been either produced directly to
28 counsel and/or made available for inspection and copying.

1 b) The government has further made audio and video recordings available for in-
2 office inspection.

3 c) On June 9, 2022, the Court relieved attorney Mia Crager for defendant Adan
4 Mayoral. On June 17, 2022, the Court appointed attorney Ronald Peters for defendant Adan
5 Mayoral.

6 d) In light of the discovery, and based on both defendants' counsel's investigation
7 concerning the defendants' circumstances, counsel for both defendants desire additional time to
8 consult with their clients, to review the current charges, to conduct investigation and research
9 related to those charges, to obtain additional records related to this matter, to review and copy
10 discovery for this matter, to inspect physical evidence seized and/or otherwise available
11 concerning this matter, to discuss potential resolutions with their clients, to consider and/or
12 prepare pretrial motions, and to otherwise prepare for trial.

13 e) Counsel for defendants believe that failure to grant the above-requested
14 continuance would deny them the reasonable time necessary for effective preparation, taking into
15 account the exercise of due diligence.

16 f) The government does not object to the continuance.

17 g) Based on the above-stated findings, the ends of justice served by continuing the
18 case as requested outweigh the interest of the public and the defendant in a trial within the
19 original date prescribed by the Speedy Trial Act.

20 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
21 et seq., within which trial must commence, the time period of July 28, 2022 to October 6, 2022,
22 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
23 because it results from a continuance granted by the Court at defendants' request on the basis of
24 the Court's finding that the ends of justice served by taking such action outweigh the best interest
25 of the public and the defendants in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 26, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ ALSTYN BENNETT
ALSTYN BENNETT
Assistant United States Attorney

Dated: July 26, 2022

/s/ RONALD PETERS
RONALD PETERS
Counsel for Defendant
ADAN MAYORAL
(*via telephonic approval*
7/26/2022)

Dated: July 26, 2022

/s/ SHARI L. RUSK
SHARI L. RUSK
Counsel for Defendant
JESUS LUNA
(via email approval 7/26/2022)

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 26th day of July, 2022.

Troy L. Nunley